

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ATSCO HOLDINGS CORP., <i>et al.</i>)	CASE NO. 1:15-CV-1586
)	
<i>Plaintiffs,</i>)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	
)	
AIR TOOL SERVICE COMPANY, <i>et al.</i>)	
)	
<i>Defendants.</i>)	
)	

NOTICE REGARDING TRIAL SCHEDULE AND RELATED MATTERS

Pursuant to the Court's order of March 11, 2020 (as modified on March 25, 2020), the parties submit the following report to the Court:

The parties are available between September 14-30 and October 5-19, 2020 for what they believe will be a two-day bench trial. The parties are available on other dates as well but focused on this particular timing in the first instance.

The parties are available to confer with the Court via telephone in advance of setting a trial date or for any other reason if the Court would find that useful.

The Court's order indicated that the parties should provide a date for a settlement conference. At this point, given the unsuccessful mediations overseen by a private party and the Court and the divergence of the parties' views on various matters, the parties do not believe a settlement conference stands any reasonable chance at being successful and respectfully submit such a conference is not a good use of party or Court resources. If the Court intends to order a conference, the parties can meet and confer regarding dates.

In connection with this meet and confer process, Defendant indicated it desired to take a Rule 30(b)(6) corporate designee deposition of Plaintiff. Plaintiff did not agree as discovery has been closed for some time and Defendants were as far along as the final pretrial conference at one point without seeking such a deposition; Plaintiff further submits that this notice is not the appropriate mechanism for briefing or argument on this particular issue and it should be more fulsomely developed if Defendant continues to desire this deposition.

Respectfully submitted,

/s/Brian P. Muething

Brian P. Muething (0076315)
Keating Muething & Klekamp, PLL
One East Fourth Street, Suite 1400
Cincinnati, Ohio 45202
Tel: (513) 579-3814
Fax: (513) 579-6457
bmuething@kmlaw.com
Attorneys for Plaintiffs,
ATSCO Holdings Corp. and HY-TECH Machine, Inc.

/s/Tim L. Collins

Tim L. Collins (0033116)
Thrasher Dinsmore & Dolan
1111 Superior Avenue, Suite 412
Cleveland, OH 44114
Tel: (216) 255-5431
Fax: (216) 255-5450
TCollins@tddl.com
Counsel for Defendants,
Air Tool Service Company and Rick J. Sabath

CERTIFICATE OF SERVICE

I certify I filed the attached with the Court's filing system that will provide notice to all parties registered for notice.

/s/Brian P. Muething

Brian P. Muething